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Dkt. #683 *SW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Herbert Howell Waddell

U.S. Serial No.: 09/693,239 Art Unit: 3671
Examiner: Robert Pezzuto

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For : APPARATUS FOR GATHERING, PICKING UP AND
CARRYING LOOSE MATERIALS

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September 17, 2004

Commissioner for Patents
P.O. Box 1450
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Sir:

COMMUNICATION IN RESPONSE TO JUNE 18, 2004 OFFICE ACTION

This Communication is submitted in response to the June 18, 2004 Office Action which was issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the June 18, 2004 Office Action is due September 18, 2004. Accordingly, this Communication is being timely filed.

REMARKS

Response to rejection of claims 1-3, 6-9 and 15 under 35 USC § 102(b) as being anticipated by Davis '359.

To anticipate a claim, the reference must teach each and every